



## *Westfield City Council Report*

<b>Resolution Number:</b>	14-117
<b>APC Petition Number:</b>	1407-ZC-01
<b>Requested Action:</b>	Petitioner requests modifications to the commitments associated with the zoning of property, as approved by 06-38 on August 14, 2006.
<b>Current Zoning District:</b>	SF-3 (Single Family - 3)
<b>Current Land Use:</b>	Vacant/Agriculture
<b>Exhibits:</b>	<ol style="list-style-type: none"><li>1. Staff Report</li><li>2. Aerial Location Map</li><li>3. Conceptual Plan</li><li>4. Conceptual Landscape Plan</li><li>5. Character Exhibits</li><li>6. APC Certification</li><li>7. Resolution 14-117 (Red Line)</li><li>8. Resolution 14-117 (Clean)</li></ol>
<b>Prepared by:</b>	Jeffrey M. Lauer, Associate Planner

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### **PETITION HISTORY**

This petition was introduced at the June 9, 2014, City Council meeting. The petition received a public hearing at the July 7, 2014, Advisory Plan Commission (the "APC") meeting. The item received a **favorable recommendation** for approval at the July 21, 2014, APC meeting. The APC Certification is included at Exhibit 6.

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### **PROCEDURAL**

- Requests for a change in zoning commitments are required to be considered at a public hearing, in accordance with Indiana Code 36-7-4-1511(h). The public hearing for this petition was held on July 7, 2014, at the APC meeting. Notice of the July 7, 2014, public hearing was provided in accordance with all APC Rules of Procedure.

- At its July 21, 2014 meeting, the APC issued a **favorable recommendation** (7-0) of the proposed change of zoning to the Westfield City Council (the “Council”).
- The Council may take action on this item at its August 11, 2014, meeting.

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## **PROJECT OVERVIEW**

### **Project Location**

The subject property is approximately fifty-five (55) acres +/- located at the northeast corner of the intersection of 161<sup>st</sup> Street and Ditch Road. The property is currently zoned SF-3 (Single Family - 3) District and consists of agricultural uses. An Aerial Location Map is included at Exhibit 2.

### **Project Description**

The current proposal is to modify the commitments that are associated with the Frampton Estates project. The petitioner is requesting the following modifications:

1. Permit 11 lots instead of 9 lots south of “Little Eagle Creek Drain” as identified on the Conceptual Plan located at Exhibit 3.
2. Modify the 100’ wide lot requirement along Ditch Road
  - a. This would default to the 80’ standard in the SF-3 District
3. Prohibit Vinyl Siding
4. Permit only brick, stone, and/or fiber cement board as exterior materials
5. All homes shall be in substantial compliance with character exhibits included at Exhibit 5.
6. Enhanced architectural features on the rear elevations of homes facing Ditch Road and 161<sup>st</sup> Street
  - a. Language in this section is consistent with proposed language included in Ordinance 14-26 (the Unified Development Ordinance).
7. Increased home sizes
  - a. One Story: From 1,200 SF to 2,000
  - b. Two Story: From 800 SF (**at ground level**) to 2,400 SF (**total home size**)
8. Enhanced perimeter landscaping and screening in substantial compliance with conceptual landscape plan included at Exhibit 4.

The current proposal also establishes requirements for utility pole relocation.

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## **STATUTORY CONSIDERATIONS**

Indiana Code 36-7-4-603 states that reasonable regard shall be paid to:

### 1. The Comprehensive Plan.

The Future Land Use Plan in the Westfield-Washington Township Comprehensive Plan (the “Comprehensive Plan”) identifies the Property as “Suburban Residential,” which contemplates a variety of housing types and densities. The general policy for this area includes preserving and protecting the stability and integrity of the area as it fills in. The Comprehensive Plan is not law; however, it is intended to serve as a guide in making land use decisions.

### 2. Current conditions and the character of current structures and uses.

The proposed development is complimentary and consistent with the existing suburban character, uses and structures of the surrounding area. The proposed development will not alter current conditions.

### 3. The most desirable use for which the land is adapted.

The Comprehensive Plan identifies the Property in the “New Suburban” area and establishes that development policies for “New Suburban” include: (i) Promote and protect the existing suburban character of the area; (ii) encourage only compatible infill development on vacant parcels in existing neighborhoods as a means of avoiding sprawl; (iii) new development should be permitted only upon a demonstration that it will not alter the character of the area, and will not generate negative land use impacts; (iv) ensure that infill development is compatible in mass, scale, density, materials, and architectural style to existing development; (v) ensure that new development adjacent to existing suburban is properly buffered.

### 4. The conservation of property values throughout the jurisdiction.

It is anticipated that the proposal would have a neutral or positive impact on property values to the surrounding area and throughout the jurisdiction.

### 5. Responsible growth and development.

The Property is contiguous to other developed areas, the improvement of the Property would be complimentary with the development vision contemplated by the Westfield-Washington Township Comprehensive Plan.

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## **RECOMMENDATIONS / ACTIONS**

Economic and Community Development Department [July 21, 2014]

Staff recommended that the APC send the proposed Frampton Estates Zoning Commitment Amendment to the Council with a **favorable recommendation**.

APC Recommendation [July 21, 2014]

At its July 21, 2014, meeting, the APC forwarded a **favorable recommendation** of Resolution No. 14-117 (APC Petition No. 1407-ZC-01) to the Council (Vote of: 7 in favor, 0 opposed). APC Certification is included at Exhibit 5.

City Council

Introduction: June 9, 2014

Eligible for Adoption: August 11, 2014

Submitted by: Jeffrey M. Lauer, Associate Planner  
Economic and Community Development Department